

REMARKS

This Amendment is in response to the Examiner's Final Office Action dated March 6, 2008, and is filed concurrently with a Request for Continued Examination (RCE). Accordingly, the Examiner is respectfully requested to enter and consider the amendments and remarks set forth herein.

By the Amendment herewith, claims 6-7 are cancelled without prejudice, and the ring of claim 1 is further clarified as supported by, for example, Applicant's figures. Claims 2-3 and 5 are amended to further comply with US claim drafting format. New system claim 8 also is added to claim the fastening and contact device in combination with the conductor, and further define the ring, as noted above. New claims 9 and 10 are based on prior claims 6-7, respectively, and further define the claimed conductor. Independent claim 11 is a system claim based, in part, on a combination of prior claims 1 and 6. Claim 12 is based on prior claim 7 and further defines the claimed conductor. No new matter is introduced into the application as a result of the foregoing amendments. Accordingly, upon entry of this Amendment, claims 1-5 and 8-12 are pending. Of those claims, claims 1, 8 and 11 are independent.

Referring to the outstanding Office Action, claims 1-7 are rejected under 35 USC Section 112, second paragraph, as being indefinite.

Applicant respectfully disagrees with the above rejection and asserts that the claims are definite in scope. However, independent claim 1 has been further clarified to improve upon the wording. The Examiner also indicated in a telephone discussion on July 24, 2008 that such wording should be acceptable. Accordingly, the rejection should be reconsidered and withdrawn.

Regarding the rejections based upon art, claims 1-3 and 5 are rejected under 35 USC Section 102(b) as being anticipated by Nakamura (US 6,264,412). Claims 1-3 and 5-7 are rejected under 35 USC Section 103(a) as being unpatentable over Applicant's alleged admitted prior art (APA) in view of Nakamura. Lastly, dependent claim 4 is rejected under 35 USC Section 103(a) as being unpatentable over Nakamura or the alleged APA as modified by Nakamura as applied to claims 1 and 3, and further in view of Bramlet (US 5,827,285).

The foregoing rejections are respectfully disagreed with, and are traversed below.

Independent claim 1 is directed to a fastening and contact device configured to be mounted to an electrical conductor, which is in the form of a plate, through an opening in the plate. The device comprises an electrically conductive sleeve configured to be inserted into the opening of the plate, the sleeve comprising shoulders configured to rest on a periphery of the opening of a first side of the plate, and an electrically conductive ring mounted around the sleeve. The ring is

configured to rest against the periphery of the opening of a second side of the plate, and the ring has a lower end generally coplanar with a lower end of the sleeve and the ring extends from the lower end around the sleeve in the direction of the shoulders. The sleeve and the ring are configured to be held in electrical contact with the plate by a tightening means cooperating with the sleeve and a complementary device to be connected to the conductor.

Claims 2-5 depend from independent claim 1 and recite further advantageous features of the claimed fastening and contact device.

Thus, the subject invention concerns an electrical device. In contrast, Nakamura discloses a system for fixing construction panels in spacecraft. More particularly, Nakamura's fixing device includes a honeycomb panel having a through-hole formed through a honeycomb core thereof in its thickness direction, a bushing inserted into the through-hole, and a fixing bolt for fixing the honeycomb panel to a target object by the bushing (See, e.g., Abstract and Figures of Nakamura).

Nakamura's device for fixing spacecraft does not disclose or suggest all of the features of Applicant's claimed fastening and contact device. For example, Applicant's claimed electrically conductive sleeve and ring mounted around the sleeve is not disclosed or suggested. In Applicant's claim 1, the ring has a lower end generally coplanar with a lower end of the sleeve and the ring extends from the lower end around the sleeve in the direction of the shoulders (See, e.g.

Applicant's Figures). In contrast, Nakamura does not disclose or suggest such a construction (See, e.g., Figures 1-4 of Nakamura). Nor is there any reason to modify Nakamura in an attempt to arrive at the claimed structure, as set forth in claim 1.

It is further respectfully asserted that the addition of any alleged APA and/or the teachings of the cited Bramlet reference with Nakamura does not disclose or suggest all the features of Applicant's claim 1. For example, the Examiner acknowledges at page 3 of the Action that the alleged APA does not disclose Applicant's fastening device.

Bramlet merely relates to biological medical instruments and particularly to a fixation assembly for interconnecting two pieces of a fractured bone. The skilled artisan would not even be motivated to look to Bramlet for guidance.

It is respectfully asserted that there is no reason one of ordinary skill in the art would combine and modify Bramlet with Nakamura and/or any alleged APA in an attempt to arrive at the subject claims.

Moreover, during a telephone discussion with the Examiner on July 24, 2008, the Examiner indicated that further defining the ring as set forth above should render Applicant's claims allowable.

Accordingly, Applicant's independent claim 1 is believed to be patentable and should be allowed. As claims 2-5 depend from claim 1, these claims also are believed to be patentable at least in view of their dependency from allowable claim 1.

For completion, it is respectfully asserted that newly added claims 8-12 also are believed to be patentable in view of the Examiner's citations. In particular, Nakamura whether viewed alone or in combination with Bramlet and/or any alleged APA does not disclose or suggest Applicant's claimed system comprising a fastening and contact device mounted to an electrical conductor, as set forth in independent claims 8 and 11. As described above, Nakamura relates to fixing spacecraft panel and does not disclose or suggest any type of electrical device. The alleged APA and teachings of Bramlet cannot cure the deficiencies of Nakamura. Accordingly, newly added independent claims 8 and 11, also are believed to be patentable. Similarly, claims 9-10 depending from claim 8, and claim 12 depending from claim 11 also are believed to be patentable at least in view of their dependency from an allowable independent claim.

In view of the foregoing, it is respectfully submitted that all of the claims in the application are patentable over the cited art. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, a telephone call to the undersigned would be greatly appreciated.

Respectfully submitted:

Christine Wilkes Beninati Aug 4, 2008
Christine Wilkes Beninati Date
Reg. No.: 37,967
Customer No.: 29683
HARRINGTON & SMITH, PC
4 Research Drive
Shelton, CT 06484-6212
Telephone: (203) 925-9400
Facsimile: (203) 944-0245